

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
No. 2:18-CV-25-BO

WILLIAM PHAPHON HOLLEY,
Plaintiff,

v.

NANCY A. BERRYHILL, Acting Commissioner of)
Social Security,)
Defendant.)

ORDER

This matter is before the Court on the Memorandum and Recommendation (“M&R”) of United States Magistrate Judge Robert T. Numbers, II, pursuant to 28 U.S.C. § 636(b)(1)(C) and Fed. R. Civ. P. 72(b). [D.E. 4]. The Court ADOPTS the M&R.


On June 26, 2017, plaintiff moved for leave to proceed in forma pauperis in the instant case. Magistrate Judge Numbers issued a Memorandum and Recommendation, finding that plaintiff had sufficient income such that plaintiff’s motion should be denied. Plaintiff did not file any objections to the Memorandum.

“The Federal Magistrates Act requires a district court to make a *de novo* determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); *see 28 U.S.C.* 636(b). Absent timely objection, “a district court need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond*, 416 F.3d at 315 (quotation omitted).

Having considered the M&R and record, the Court is satisfied that there is no clear error on the face of the record and accepts the Magistrate Judge’s recommendation. The Court

ADOPTS the Magistrate Judge's M&R. [DE 4]. Plaintiff is DIRECTED to remit the filing fee to the Clerk within thirty [30] days.

SO ORDERED, this 25 day of July, 2018.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE